

**MEDICAL LICENSING BOARD OF INDIANA  
INDIANA GOVERNMENT CENTER SOUTH  
402 WEST WASHINGTON STREET  
ROOM W064  
INDIANAPOLIS, INDIANA 46204**

**MINUTES OF APRIL 27, 2006**

N. Stacy Lankford, M.D., President called the meeting to order at 9:32 a.m. and declared a quorum in accordance with IC 25-22.5.

**Members Present:**

N. Stacy Lankford, M.D., President  
Worthe Holt, Jr., M.D., Vice President  
Barbara Malone, J.D., Consumer Member,  
Secretary  
Ralph Stewart, M.D.  
William H. Beeson, M.D.  
Richard Krejsa, D.O.

**Members Absent:**

Bharat Barai, M.D.

**Staff Present:**

Michael Rinebold, Board Director  
Professional Licensing Agency  
Jody Edens, Assistant Board Director  
Professional Licensing Agency  
James Schmitt, Deputy Attorney General  
Office of the Attorney General

The Board voted to adopt the agenda and addendum as amended.

Holt/Krejsa, 6/0/0

The Board voted to adopt the minutes of the February 23, 2006 meeting.

Holt/Krejsa, 6/0/0

## **PROBATIONARY APPEARANCES**

**(Before only one member of the Board)**

The physicians listed below, appeared per their order and no other issues arose during the probationary appearance:

Mauro Agnelneri, M.D.	Glenn Ballengee, D.O.	Sally Booth, M.D.
Thomas Gellersen, M.D.	Janie Jones, M.D.	Stephen Matthews, M.D.
Nancy Noel, M.D.	Thomas Pohlman, M.D.	Deborah Provisor, M.D.
Deborah Reed, M.D.	Jeffrey Seizys, M.D.	Arnoldo Trabucco, M.D.

Steven Stoller, M.D. appeared for his personal appearance. Dr. Stoller submitted a copy of his CPEP examination. The Board moved accept the CPEP examination and to grant Dr. Stoller privileges to perform surgery with the recommendation from N. Stacy Lankford, M.D., President to have his Supervisor present during the first several surgeries and to address the surgeries in his supervisory reports he submits quarterly.

Beeson/Malone, 6/0/0

Adam Cline, D.C., L.A. C. did not appear for his scheduled probationary appearance.

## **PERSONAL APPEARANCES**

**(Before only one member of the Board)**

### **INITIAL APPLICANTS**

The Board approved the following Personal Appearance recommendations submitted by all attending Board members.

Krejsa/Malone, 6/0/0

*Richard Morris, M.D.*

*Jennifer Hydes, M.D.*

The following did not appear for their scheduled personal appearance:

*Maria Ghetu, M.D.      Catalino Dureza, M.D.      Edward Lanigan, M.D.*

The following personal appearance appeared before the full Board:

**Alan Bautista, M.D., Initial Application** – Dr. Bautista appeared before the Board concerning a positive response on his initial application and was not represented by counsel. Dr. Bautista's NY license has been revoked since he applied for an Indiana license. It is the only license he has been issued. After discussion the Board gave Dr. Bautista the opportunity to withdraw his application for licensure. Dr. Bautista requested that the Board allow him to withdraw his application. The Board moved to approve his request to withdraw.

Stewart/Krejsa, 6/0/0

**Stephen Brown, M.D., Initial Application** – Dr. Brown appeared before the Board concerning a positive response on his initial application and was not represented by counsel. Dr. Brown was terminated from two separate Residency programs. One was for unauthorized absences and the other was for unauthorized use of the computer. He also submitted a falsified reference letter for credentialing purposes. His license in VA is free and clear. After discussion the Board moved to DENY his application for licensure based upon his termination from two residency programs and the falsification of documents.

Stewart/Holt/4/2/0, with Ms. Malone and Dr. Krejsa objecting

**Shawn McPartland, M.D., Initial Application** – Dr. McPartland appeared before the Board concerning a positive response on his initial application and was not represented by counsel. Dr. McPartland's New York license was revoked several years ago. At this time Dr. McPartland has not attempted to reinstate his NY license. The Board instructed him his first step would be to have his NY license reinstated as they are the original state of action. This would need to be cleared up before they could consider granting an Indiana license. The Board gave Dr. McPartland the option to withdraw. Dr. McPartland requested that the Board allow him to withdraw his application. The Board moved to approve his request to withdraw.

Holt/Lankford, 5/0/0

(Dr. Beeson was not in attendance for this hearing)

### **ADMINISTRATIVE HEARINGS**

The following hearing was continued.

**Willard H. Hagenmeyer, D.O., License No. 02001155A, Cause No. 2003 MLB 0030**

**Kirk Deeb Morgan, M.D., License No. 01038339A, Cause No. 90 MLB 0018**

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Patrick McCool and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Stewart/Krejsa, 5/0/0

(Dr. Holt was out attending a settlement conference)

**Cheryl Short, M.D., License No. 01043927A, Cause No. 2006 MLB 0007**

Respondent did appear in person and was represented by Dennis Zahn regarding an Agreement scheduled before the Board. The State of Indiana was represented by Patrick McCool and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. The agreement between the Respondent, her counsel and the Attorney General's Office was presented to the Board by Patrick McCool, Deputy Attorney General. The agreement included a LETTER OF REPRIMAND and a FINE of \$1,000.00. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the agreement.

Malone/Stewart, 5/0/0

(Dr. Holt was out attending a settlement conference)

**Michael Robert Swenson, M.D., License No. 01047860A, Cause No. 2005 MLB 0044**

Respondent did not appear in person and was not represented by counsel regarding an Agreement for Indefinite Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. The agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Elizabeth Kiefner, Deputy Attorney General. The agreement includes an indefinite extension of the SUMMARY SUSPENSION until the criminal charges are settled. After having considered the evidence presented

and taking official notice of its file in this matter the Board moved to APPROVE the agreement.

Stewart/Malone, 5/0/0  
(Dr. Holt was out attending a settlement conference)

**Michael A. Linton, M.D., License No. 01030912A, Cause No. 2004 MLB 0029**

Respondent did appear in person and was represented by David Jensen regarding an Order to Show Cause/Modification of Probation scheduled before the Board. The State of Indiana was represented by Mike Minglin, Special Counsel, Deputy Attorney General's Office and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. Dr. Linton requested a modification of his Probation order as he is no longer doing Obstetrics. He wanted his CPEP evaluation changed to Gynecology evaluation only. After having considered the evidence presented and taking its file into consideration the Board moved to DENY his petition to modify his Probation order.

Malone/Lankford, 5/0/0  
(Dr. Holt was out attending a settlement conference)

Regarding the Order to Show Cause, Dr. Linton is non-compliant with the following terms of his Probation Order.

- CPEP evaluation within four (4) months from the date of this order and shall submit report to the Board. At this time Dr. Linton has not applied for his CPEP evaluation. This should have been done by February 2006.
- Within sixty (60) days from this Order, Respondent shall arrange for a Board approved supervisor who shall submit a written plan of supervision acceptable to the Board. This report shall be submitted quarterly to the Board. The Board has not received any information on this issue. This should have been received by the Board at the end of December 2005.

The Board made it very clear to Dr. Linton that this is serious non-compliance to his Probation Order and that these items need to be done immediately or there will be further disciplinary action taken. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on Summary Suspension for a period of ninety (90) days. This motion failed to pass; Dr. Lankford withdrew the motion. The Board further moved to VACATE the Order to Show Cause.

Malone/Stewart, 3/2/0, with Dr. Beeson and Dr. Lankford objecting  
(Dr. Holt was out attending a settlement conference)

**Jegan Jabez, M.D., License No. 01043232A, Cause No. 2006 MLB 0005**

Respondent did not appear in person and was not represented by counsel regarding an Agreement scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter

sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Steven Douglas, Deputy Attorney General. The agreement included a LETTER OF REPRIMAND and a FINE of \$1,000.00. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the agreement.

Lankford/Malone, 5/0/0

**Tariq Khalil Malik, M.D., License No. 01049671A, Cause No. 2006 MLB 0008**

Respondent did not appear in person and was represented by Beth Compton regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The agreement included INDEFINITE PROBATION may not lift for three (3) years. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the agreement.

Stewart/Malone, 5/0/0

(Dr. Holt was out attending a settlement conference)

**Robert Mitrione, M.D., License No. 01058433A, Cause No. 2003 MLB 0052**

Respondent did appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. Dr. Mitrione explained to the Board that he has recently been released from Prison (November 2005). He initially went to a half-way house on home detention and was released from there January 2006. He stated he hasn't had time to do a Coding conference. He has petitioned the State of Illinois to have his license restored. His hearing will be in June 2006. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to VACATE the Order to Show Cause.

Malone/Krejsa, 5/0/1, with Dr. Holt abstaining

**Marvin E. Gold, M.D., License No. 01018654A, Cause No. 2005 MLB 0026**

Respondent did not appear in person and was not represented by counsel regarding a Petition for Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. The criminal matter in Porter County has been continued to July as the States witness has died. After having considered the evidence presented and taking official notice of its file in this matter the Board

moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Stewart/Lankford, 6/0/0

**Mahendra Kumar Mahajan, M.D., License No. 01036571A, Cause No. 2006 MLB 0006**

Respondent did appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Elizabeth Kiefner, Deputy Attorney General. The agreement included INDEFINITE PROBATION may not lift for three (3) years. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the agreement.

Stewart/Lankford, 5/0/0  
(Dr. Beeson was not in attendance)

**Gerald Gene Gray, D.O., License No. 02000256A, Cause No. 2005 MLB 0018**

Respondent did appear in person and was represented by Terry White regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Daniel Cavallini, Deputy Attorney General and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Daniel Cavallini, Deputy Attorney General. The agreement included INDEFINITE PROBATION for a period of five (5) years. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the agreement

Lankford/Stewart, 4/0/1, with Dr. Holt abstaining  
(Dr. Beeson was not in attendance)

**Ruth Serneels, M.D., License No. 01040023A, Cause No. 95 MLB 0036**

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. Dr. Serneels has addiction issues. Her license is on Probation in Kentucky. She recently violated her Kentucky order. She wrote to the Indiana Board requesting to surrender her license. The State objects to her surrendering her license. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY Dr. Serneels request to surrender.

Krejsa/Malone, 4/0/0  
(Dr. Stewart and Dr. Beeson were not in attendance)

The Board further moved to issue a NOTICE OF PROPOSED DEFAULT.

Malone/Krejsa, 4/0/0  
(Dr. Stewart and Dr. Beeson were not in attendance)

At the request of Steven Douglas, Deputy Attorney General the Board heard additional evidence for the consideration of an unscheduled summary suspension. She recently had a relapse and has violated her Kentucky and Indiana orders. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Krejsa/Malone, 4/0/0  
(Dr. Stewart and Dr. Beeson were not in attendance)

**Robert Bosup Yuhn, M.D., License No. 01022928A, Cause No. 2003 MLB 0019**

Respondent did not appear in person and was represented by Jan Carroll regarding a Notice of Retirement and Petition for Voluntary Surrender and Final Hearing scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. Dr. Yuhn entered into an agreement with the Chief Deputy Prosecutor for Elkhart County. He agreed not to practice medicine or seek reinstatement of his Indiana medical license in exchange for the criminal charges being dropped. An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Elizabeth Kiefner, Deputy Attorney General. The agreement included VOLUNTARY AND PERMANENT REVOCATION of the Respondent's license and a FINE of \$1,500.00 payable within ninety (90) days from the date of the order. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE this agreement.

Lankford/Malone, 4/0/1, with Dr. Stewart abstaining  
(Dr. Holt was not in attendance)

**Linda Morrison Boczar, M.D., License No. 01044448A, Cause No. 2006 MLB 0002**

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. The Respondent has had discipline in the State of Florida and had had problems



at Stark Memorial Hospital in Indiana. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Malone/Holt, 4/0/0  
(Dr. Beeson and Dr. Stewart were not in attendance)

**Robert C. Richards, M.D., License No. 01060540A, Cause No. 2005 MLB 0017**

Respondent did appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was not represented and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. Dr. Richards' license is currently on Probation. He is non compliant with the terms of his Probation order as he is no longer in ISMA impaired physicians program. He indicated to the Board that Candace Backer released him from the program because he couldn't go to RUSH. He stated that he simply did not have \$30,000 to go to RUSH. He went to Gallagher relapse prevention program run by Toni Black. He relapsed in January and May 2005. His sobriety date is May 19, 2005. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to TABLE this matter until May and requested that Candace Backer attend this hearing and that Dr. Richards contact Ms. Backer prior to that meeting.

Malone/Lankford, 5/1/0 with Dr. Stewart objecting

**Robert Walter Bulger, M.D., License No. 01034598A, Cause No. 2005 MLB 0022**

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Steven Douglas, Deputy Attorney General. The agreement included INDEFINITE PROBATION for a period of five (5) years. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the agreement.

Beeson/Lankford, 5/0/1, with Dr. Stewart abstaining

**Derek Tennenhouse, M.D., License No. 01056104A, Cause No. 2005 MLB 0032**

Respondent did not appear before the Board and was not represented by counsel regarding a Modification of Final Order scheduled before the Board. The State of Indiana was represented by Daniel Cavallini and the court reporter sworn in for this matter was Donna Thor from Accurate Reporting of Indiana. An

agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Daniel Cavallini, Deputy Attorney General. The agreement included modifying the original order to include the following terms and conditions precedent to reinstatement:

- Receive an addictionology examination through ISMA and do what they recommend.
- CPEP evaluation and do what they recommend.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the agreement.

Beeson/Malone, 2/3/1, with Dr's. Lankford, Krejsa & Stewart objecting  
and Dr. Holt abstaining

This motion failed to pass. After further discussion, the Board moved to APPROVE the agreement.

Lankford/Krejsa, 3/2/1, with Dr. Beeson & Ms. Malone objecting  
and Dr. Holt abstaining

### **REVIEW OF INITIAL APPLICATIONS**

The Board reviewed the positive response information on the following applicants and approved them for issuance:

Donald Chapman, M.D.	Harrill Coley, M.D.	Michael Evans, M.D.
Sudhir Kapoor, M.D.	Khurshid Khan, M.D.	Russell Leboyer, M.D.
Renee Moenning, M.D.	William Monnig, M.D.	Khalid Nasser, M.D.
Robert Powers, D.O.	Rubina Saini, M.D.	Edward Sauris, M.D.
Eric Schulze, M.D.	Aruna Vaddadi, M.D.	Rakesh Vinayek, M.D.
Michelle Webb, M.D.		

The Board reviewed the positive response information on the following applicants and requested that they personally appear before the Board:

Stanley Chang, M.D.	William Dooley, M.D.	Erik Hermstad, M.D.
Alexander Kammer, M.D.	Bruce Linder, M.D.	

Jonathan Forester, M.D., Limited Scope Temporary Application – The Board reviewed his application for a limited scope. Dr. Forester was requesting the temporary for a Book signing at a local book store. The Board felt that a temporary was not necessary therefore they moved to DENY the application.

Holt/Lankford, 6/0/0

After further discussion regarding this temporary request the Board moved to RECIND the vote to deny.

Holt/Lankford, 6/0/0

The Board further moved to TABLE this matter and have staff send a letter asking if the applicant would like to withdraw his application.

Beeson/Krejsa, 6/0/0

Jacinta Gillis, M.D., Initial Application – After reviewing her application the Board moved to DENY her application for licensure due to her falsification of her application.

Holt/Krejsa, 6/0/0

Rak Hydari, M.D., Initial Application – The Board reviewed the application information in Dr. Hydari's file. He does not meet the USMLE 7 year rule. After discussion the Board moved to DENY his application for licensure.

Holt/Lankford, 6/0/0

Syed Raoof, M.D., Initial Application – The Board reviewed the application information in Dr. Raoof's file. He does not meet the USMLE 7 year rule. After discussion the Board moved to DENY his application for licensure.

Stewart/Malone, 6/0/0

### **DISCUSSION**

LSA Document #06-13 – Amends 844 IAC 10-4-3 concerning the reinstatement requirements for an occupational therapist certificate that has been expired for more than three (3) years to allow the occupational therapist committee to require a licensee to take and pass an examination. Effective 30 days after filing with the Secretary of State. Jayma Ellerbrook, Board Director and Jeanette Roberts, Assistant Board Director with the Occupational Therapist Committee addressed the Board regarding this matter. Ms. Ellerbrook informed the Board that currently if a license has been expired for three (3) years or more they must reapply for a new license and must take the examination. This change would give the Committee the option of making the applicant take the exam or not. After discussion the Board moved to adopt the rules.

Krejsa/no second

This motion died as it was not seconded. The Board stated that they felt this rule made it to open and they suggested the rule be left as it is with something like

exemptions can be made for applicants who have been working in another state added to the rule. The Medical Board also requested information on the examination; is it an appropriate examination; what is its testing validity. They requested that Ms. Ellerbrook research this information and have it available when they return to the Board with the revised version of the rule.

### **NEW BUSINESS**

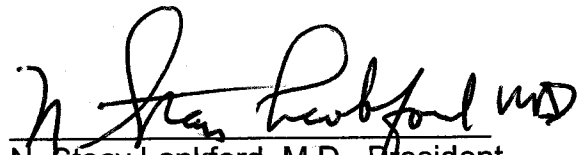
Election of Secretary – This being Dr. Stewart's last Board meeting the members must elect a new Secretary and CSAC advisory member.

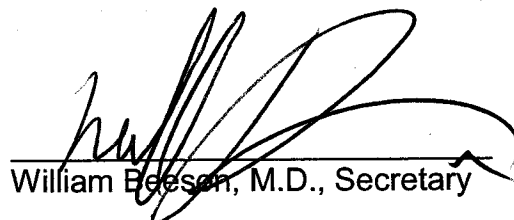
Dr. William Beeson was elected as Secretary  
Dr. Bharat Barai was elected as the CSAC advisory member

A motion was made to elect Dr. Ralph Stewart, Dr. Richard Krejsa and Ms. Barbara Malone as Administrative Law Judges. After discussion the Board moved to APPROVE this motion.

### **CONSENSUS**

There being no further business the meeting adjourned at 5:30 p.m.

  
N. Stacy Lankford, M.D., President

  
William Beeson, M.D., Secretary